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MORRISON & FOERSTER LLP

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NAME:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office; M/S AF	(571) 273-8300	(571) 272-4105

FROM: Peter Yim
Reg. No. 44,417**DATE:** April 18, 2007

Number of pages with cover page:	6	
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Comments:**PLEASE PROCESS THE ATTACHED.**

Re: U.S. Patent Application Serial No. 10/791,046
For: SELECTING A PROFILE MODEL FOR USE IN OPTICAL
METROLOGY USING A MACHINE LEARNING SYSTEM
By: Emmanuel DREGE et al.
Our Reference: 50998-20059.00

Attached is the following:

1. Transmittal (1 Page)
2. Fee Transmittal (in duplicate, 2 pages)
3. Petition for Extension of Time (1 page)
4. Notice of Appeal (1 page)

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NO. 889 P. 2

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PTO/SB/21 (08-08)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE


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<h1>TRANSMITTAL FORM</h1> <p><i>(to be used for all correspondence after initial filing)</i></p>		Application Number	10/791,048
		Filing Date	March 1, 2004
		First Named Inventor	Emmanuel DREGE
		Art Unit	2129
		Examiner Name	G. Davis
Total Number of Pages in This Submission	5	Attorney Docket Number	509982005900

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate, 2 pages) <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (1 page) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet (not counted as part of this submission)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 20872)		
Signature			
Printed name	Peter J. Yim		
Date	April 18, 2007	Reg. No.	44,417

I hereby certify that this paper is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: April 18, 2007

Signature:  (Valerie Cohen)

sf-2303885

NO. 889 P. 3

APR 18 2007

PTO/SR/17 (02-07)

Approved for use through 02/28/2007. OMB 0651-0032
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Effective on 12/08/2004

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4810).

FEE TRANSMITTAL
For FY 2007

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	1,520.00
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Complete If Known

Application Number	10/791,046
Filing Date	March 1, 2004
First Named Inventor	Emmanuel DREGE
Examiner Name	G. Davis
Art Unit	2129
Attorney Docket No.	509982005900

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

<input checked="" type="checkbox"/>	Deposit Account	Deposit Account Number: 03-1952	Deposit Account Name: Morrison & Foerster LLP
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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17

☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

$$\frac{\text{Total Claims}}{50} - 50 = \frac{\text{Extra Claims}}{0} \times \frac{\text{Fee (\$)}}{50} = \frac{\text{Fee Paid (\$)}}{0.00}$$

HP = highest number of total claims paid for, if greater than 20.

<u>Multiple Dependant Claims</u>	
<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
360	0.00

<u>Indep. Claims</u>		<u>Extra Claims</u>		<u>Fee (\$)</u>		<u>Fee Paid (\$)</u>
3	=	0	x	100	=	0.00

HP = highest number of independent claims paid for, if greater than \$.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1253 Extension for response within third month
1401 Notice of appeal

1,020.00
500.00

SUBMITTED BY

Signature 

Registration No. 44,417
(Attorney/Agent)

Telephone (415) 268-6373

Name (Print/Type)	Peter J. Yim
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Date April 18, 2007

sf-2303883